

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAVERNE MCBRYDE O'NEAL,

Plaintiff,

-against-

TASK FORCE OFFICER DINOL POLICHETTI,

Defendant.

23-CV-10113 (JPC) (RFT)

ORDER

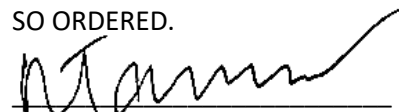
ROBYN F. TARNOFSKY, United States Magistrate Judge:

On April 11, 2025, I held a status conference to discuss a schedule for Defendant to provide limited discovery on his employment status. During the conference, Plaintiff indicated that she did not wish to continue this action and left the call. If Plaintiff does not wish to pursue this action, she should submit a signed notice of dismissal on the docket by **April 25, 2025**. A form Notice of Dismissal Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) is attached to this order.¹

If Plaintiff does wish to continue this action, she shall, by **April 25, 2025**, send a letter to Defendant's counsel by mail stating her demands for paper discovery (documents and written questions) about Defendant's employment status; that letter should not be filed on the docket but should instead be sent only to Defendant's counsel. If no notice of dismissal is filed on the docket and Defendant's counsel does not receive such a letter by **April 30, 2025** (with a postmark of **April 25, 2025 or earlier**), Defendant shall, by **May 15, 2025**, file an appropriate motion seeking dismissal of this case; Plaintiff would have until **June 15, 2025** to oppose any such motion; and if Plaintiff files an opposition, Defendant shall have until **June 30, 2025** to file its reply in further support of dismissal.

DATED: April 15, 2025
New York, NY

SO ORDERED.



ROBYN F. TARNOFSKY

United States Magistrate Judge

¹ Fed. R. Civ. Proc. 41(a)(1)(A)(i) provides that a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. Neither an answer nor a motion for summary judgment has been filed in this action by any Defendant.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Laverne McBryde-O'Neal,
Plaintiff

V.

Task Force Officer Dinol Polichetti,
Defendant

NOTICE OF DISMISSAL
PURSUANT TO F.R.C.P.

41(a)(1)(A)(i)

Case No.: 23-cv-10113 (JPC) (RFT)

NOTICE OF DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

IT IS HEREBY STIPULATED AND AGREED by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, without prejudice against the defendant(s) Dinol Polichetti pursuant to the Federal Rules of Civil Procedure 41(a)(1)(A)(i).

Signature of plaintiff

Signature of defendant or defendant's counsel

Address

Address

City, State & Zip Code

City, State & Zip Code

Telephone Number

Telephone Number

Dated:

Dated: